IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH

AT HYDERABAD

MONDAY THE TWENTIETH DAY OF JUNE

TWO THOUSAND AND FIVE

: PRESENT:

THE HON'BLE MR JUSTICE: **B. PRAKASH RAO**

AND

THE HON`BLE MR. JUSTICE: **P. SWAROOP REDDY**

CRIMINAL APPEAL NO : 1413 OF 2002

(Criminal Appeal under Section 374(2) OF Cr. P.C. against the Judgment dated: 16-12-2002 passed in S.C No. 79 of 2001 on the file of the Court of the VIII Additional District & Sessions Judge (Fast Track Court) Visakhapatnam)

Between:

Boni Govindarajulu, S/o. Ramulu, R/o. D. No. 14-115, Lakshminagar, Gopalapatnam, Visakhapatnam.

.... Appellant

AND

The State of A.P., rep. by the Public Prosecutor, A.P., High Court, Hyderabad.

.....Respondent

The petition coming on for hearing upon perusing the Appeal and grounds filed herein and the order of the High Court dated: 13-06-2005 made herein and upon hearing the arguments of Mr. C. Praveen Kumar, Advocate for the appellant and of the Public Prosecutor, for the respondent, the Court observed that though it is a case where a person is convicted, the matter could not be heard due to the delay in obtaining the records from the District Court concerned; it is seen from the record the notice and intimation was sent immediately after the appeal was admitted, to send the material part of the record in S.C. No. 79 of 2001, but there has been considerable delay, which totally remained unexplained from the District Court level. In the letter, dated: 16-06-2005, it is stated that the delay is on account of the VI Additional District & Sessions Judge, Mahila Court, Visakhapatnam; be that as it may,

Whereas the Court directed the Registry to call for the remarks from the VIII Additional District & Sessions Judge (Fast Track Court), VI Additional & Sessions Judge, Mahila Court, Visakapatnam, enquire into the matter and take appropriate action against the concerned including the staff members, if they are responsible for the delay;

..2..

Therefore you viz:

1. The VIII Additional District & Sessions Judge (Fast Track Court), Visakhapatnam, Visakhapatnam District.

2. The VI Additional & Sessions Judge, Mahila Court, Visakapatnam, Visakhapatnam District.

are hereby directed to enquire into the matter and take appropriate action against the concerned including the staff members, if they are responsible for the delay and send your remarks to this Court on or before 27-06-2005 to which date the case stands posted;

And the court further directed the Registry since the records are received, to prepare the case and post the appeal for hearing on 27-06-2005.

ASSISTANT REGISTRAR

// TRUE COPY //

FOR ASSISTANT REGISTRAR

To

1. The VIII Additional District & Sessions Judge (Fast Track Court) Visakhapatnam, Visakhapatnam District . (BY BY SPEED POST)
2. The VI Additional & Sessions Judge, Mahila Court, Visakapatnam, Visakhapatnam District. (BY SPEED POST)

Copy to

3. The Section Officer, Criminal Section, High Court of A.P., Hyderabad.
4. The Registrar (Judicial), High Court of A.P., Hyderabad (for kind perusal)
5. One spare copy.

Ksv

HIGH COURT

Ksv
Date of drafting: 20-06-2005

BPRJ
&
PSRJ

DATE: 20-06-2005

NOTE: POST ON 27-06-2005

ORDER

CRLA. No. 1413 OF 2002

FOR REMARKS FROM
VIII ADDITIONAL DISTRICT & SESSIONS JUDGE
(FAST TRACK COURT) VISAKHAPATNAM AND
THE VI ADDITIONAL & SESSIONS JUDGE, MAHILA COURT, VISAKAPATNAM, VISAKHAPATNAM
DISTRICT